

SUBCHAPTER F : HOUSEHOLD HAZARDOUS WASTE COLLECTION

§332.61. General Requirements and Applicability.

(a) A compost permittee shall not accept mixed municipal solid waste from a governmental entity until the commission determines that residents in that service area have reasonable access to household hazardous waste collection programs.

(b) Materials collected or accepted pursuant to this subchapter shall not be placed into the mixed municipal solid waste composting or mixed waste handling operations at a mixed municipal solid waste composting facility, but may be processed separately at such a facility for recycling.

(c) Any person who intends to conduct a collection event or intends to operate a permanent collection center shall comply with the requirements of Chapter 335, Subchapter N of this title (relating to Household Materials Which Could Be Classified as Hazardous Waste).

Adopted November 1, 1995

Effective November 29, 1995

§332.62. Demonstration to Provide Reasonable Access for Residents.

(a) The permit applicant shall provide demonstration of reasonable access to household hazardous waste collection using either Option 1 or Option 2.

(1) Option 1. A permit applicant shall provide one of the following alternatives for the collection of household hazardous wastes based upon population:

(A) A permittee with a facility in a service area with a population less than 100,000 shall provide one permanent collection site with a minimum of 12 hours per year of access outside of regular business hours or semi-annual collections each with a minimum of six hours continuous periods of access outside of regular business hours.

(B) A permittee with a facility in a service area with a population between 100,000 and 500,000 shall provide one permanent collection site with a minimum of 36 hours per year of access outside of regular business hours or six collections each with a minimum of six hours continuous periods of access outside of regular business hours.

(C) A permittee with a facility in a service area with a population between 500,000 and 1.0 million shall provide one permanent collection site with a minimum of 48 hours per year of access outside of regular business hours or eight collections each with a minimum of six hours continuous periods of access outside of regular business hours.

(D) A permittee with a facility in a service area with a population over 1.0 million shall provide one permanent collection site with a minimum of 96 hours per year of access outside of regular business hours or sixteen collections each with a minimum of six hours continuous periods of access outside of regular business hours and at locations other than the permitted site that increase reasonable public access to household hazardous waste collection.

(2) Option 2. Alternative plan for providing reasonable access. The permit applicant may present an alternative plan for providing reasonable access to residents. The commission will evaluate alternative plans on a case-by-case basis. At a minimum, the plan shall present the following information:

(A) A description of the residential service areas, and their respective governmental units, from which mixed municipal solid waste is proposed to be accepted; and

(B) A description of the household hazardous waste collection program and how the program provides reasonable access.

(b) The time of operation outside of business hours may be changed with executive director's approval.

(c) For purposes of this section, "business hours" means 8:00 a.m. to 5:00 p.m., Monday through Friday. "Attended" means, at minimum, that a volunteer or employee is present at the site providing educational materials and information to users of the center, guiding them in the proper use of the center, and answering their questions.

(d) Site Managers shall be trained in the 40 hour OSHA Hazardous Waste Operation and Emergency Response Course and have annual eight hour refresher course. All volunteers and employees attending the site shall be trained in appropriate site safety and job duties prior to working on the site.

Adopted November 1, 1995

Effective November 29, 1995

§332.63. Materials to be Accepted.

Household hazardous waste collection programs required under this subsection shall accept household hazardous waste as defined in §335.402 of this title (relating to Definitions).

Adopted November 1, 1995

Effective November 29, 1995

§332.64. Public Education.

(a) A written or more effective notice or combination of both that is reasonably designed to reach each household affected by this subchapter shall be distributed in a timely manner to enable any interested resident to participate in each collection opportunity.

(b) The notice shall explain the following:

- (1) The benefits of participating in the collection;
- (2) The opportunities available pursuant to this subchapter and through other means (such as the lead-acid battery trade-in program);
- (3) the materials that can be brought for safe disposal under this program;
- (4) the proper preparation of the materials for this program; and
- (5) a telephone number at which more information about the services can be obtained.

(c) Attendants at each site shall provide educational materials with guidance for reducing and properly handling household hazardous materials and for the use of less hazardous alternatives.

Adopted November 1, 1995

Effective November 29, 1995

Adoption of §§332.61-332.64
Date Adopted: November 1, 1995
Date Filed with the Secretary of State: November 6, 1995
Date Published in the Texas Register: November 21, 1995
Date Effective: November 29, 1995